

# PROCEDURES MANUAL

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SINGLE STATE REGISTRATION SYSTEM

IN ACCORDANCE WITH PUBLIC LAW 102-240  
SECTION 4005 OF TITLE IV

(Revised July 1, 1994)

## TABLE OF CONTENTS

### SINGLE STATE STANDARDS

	Page
I. Definitions	1
II. Participation By States	3
III. Implementation of the Single State Standards	3
IV. Change of Registrant's Principal Place of Business	5
V. Registration Process - Application Form	6
VI. Designation of Process Agent	10
VII. Proof of Insurance	11
VIII. Registration Receipts	16
IX. Change of Name, Address and/or Ownership	19
X. Compliance	20
XI. Registration State Accounting	22
XII. Auditing	24
XIII. Reciprocity	25
XIV. Forms	25
XV. Reporting Requirements	26
XVI. Acquisition of ICC Authority After Exempt Authority	26

Appendix A - Uniform Application for Registration  
Appendix B - Calculation of Fee Amounts Due Each State  
Appendix C - Registration Receipt  
Appendix D - Accounting Transmittal  
Appendix E - Monthly Data Report

PROCEDURES MANUAL FOR THE  
SINGLE STATE STANDARDS  
FOR REGISTRATION OF INTERSTATE  
MOTOR CARRIER OPERATIONS  
UNDER SECTION 4005, TITLE IV

I. DEFINITIONS

- A. "Applicant" means a person in whose name the uniform application is filed with a registration state for the purpose of complying with the standards promulgated under Public Law 102-240.
- B. "Audit" means a review of records and source documents supporting fee payments.
- C. "Cancellation of Registration" means the annulment of a registration by the registrant.
- D. "State Commission" means the state agency designated to be responsible for administration of these standards.
- E. "The Commission" means the Interstate Commerce Commission.
- F. "Driveaway Operation" means an operation in which any vehicle or vehicles, operated singly or in lawful combinations, new or used, not owned by the transporting motor carrier, constitute the commodity being transported.
- G. "Eligible State" means each jurisdiction that as of January 1, 1991, charged or collected a fee for a vehicle identification stamp or number in accordance with Part 1023, Title 49, Code of Federal Regulations.
- H. "Jurisdiction" means a State of the United States, the District of Columbia, a Province or Territory of Canada or the Republic of Mexico.
- I. "Motor Carrier and Carrier" means a person authorized to engage in the transportation of passengers or property, as a common or contract carrier, in interstate or foreign commerce, under the provisions of 49 U.S.C. 10922, 10923, or 10928.
- J. "Motor Vehicle" means a self-propelled or motor-driven vehicle operated by a motor carrier in interstate or foreign commerce under authority issued by the Commission.

- K. "Person" means an individual, corporation, partnership, association, trust or other legal entity.
- L. "Principal Place of Business" means a single location that serves as the motor carrier's headquarters and where it maintains or can make available its operational records.
- M. "Proof of Insurance" means evidence that the motor carrier is insured to the extent required by federal law which has been filed and approved in the registration state in compliance with these procedures using valid prescribed forms.
- N. "Registration State" means the jurisdiction where the registrant maintains its principal place of business. If the applicant's principal place of business is located in a jurisdiction that is not a participating state, the applicant shall apply for registration in the State in which the applicant will operate the largest number of motor vehicles during the next registration year. If the motor carrier will operate the largest number of vehicles in more than one state, the applicant or registrant shall choose which participating state will be the carrier's registration state. Once the registration state jurisdiction is determined, this designation shall be effective until the registrant changes its principal place of business.
- O. "Reinstatement" means to restore the privileges granted to the registrant by the registration state.
- P. "Registration Period" means a period of time from August 1 through November 30 of the year preceding the registration year.
- Q. "Registration Receipt" means a receipt issued to the motor carrier that indicates that the required proof of insurance has been filed and fees have been paid. A copy of this receipt must be maintained in the cab of each motor vehicle for inspection.
- R. "Registration Year" means a period of time from January 1 through December 31.
- S. "Registrant" means a person who holds a valid registration issued by a registration state.
- T. "Revocation" means withdrawal of registration and

privileges by a registration state.

- U. "State" means a state of the United States or the District of Columbia.
- V. "Suspension" means temporary removal of privileges granted to the registrant by a registration state.

## II. PARTICIPATION BY STATES

- A. An eligible state may participate in the single state registration system and cease participation only with proper notice. If an eligible state wishes to change its status concerning participation, the eligible state must publish notice of its intentions and give written notice to all other participating states by the 1st day of July of the year preceding the registration year in which it will either begin or cease participation.
- B. When an eligible state has notified other participating states that it desires to participate, the participating states will notify all motor carriers whose principal place of business is located in that state of the intention of the eligible state to register motor carriers. The motor carrier may then select the new participating state as its registration state if its principal place of business is located in that state. The motor carrier will notify the prior registration state as required in Section IV.
- C. When a participating state ceases its participation in this program and notifies all parties, the motor carrier shall select its new registration state and notify that state in accordance with Section IV.

## III. IMPLEMENTATION OF THE SINGLE STATE SYSTEM

- A. The single state registration system's regulations and procedures shall govern the registration and identification of motor carriers operating in interstate or foreign commerce under a certificate or permit issued by the Commission.
- B. Registration states shall comply with the standards set forth herein. Registration in the registration state shall be deemed to satisfy the registration requirements of all participating states.
- C. All motor carriers authorized to engage in interstate

transportation of passengers or property as a common or contract carrier by the ICC shall register in the motor carrier's registration state for all states of travel. Registration states will not exempt any motor carrier holding ICC authority to transport property or passengers from registering under these procedures.

- D. All vehicles operated under an ICC authorized motor carrier's interstate operations (whether owned or leased) shall be registered in the motor carrier's name in accordance with these procedures.
- E. Motor carriers receiving emergency temporary authority (ETA) or temporary authority (TA) from the Commission for a duration of 120 days or less are required to comply with the all requirements of these procedures except the filing of evidence of authority granted by the Commission. After 120 days, the motor carrier must be in compliance with all of the procedures established herein or subject the registration to revocation as set forth in Section X.
- F. The motor carrier must register with its registration state before it commences operating. Forms required by federal regulations and prescribed by these procedures shall not be altered by the registration state except to indicate the proper registration state for mailing purposes. The forms attached to these procedures must be completed by the registrant or prepared by the registration state in the manner described herein.
- G. The registration year will be a calendar year.
- H. Fees collected under this system will not be prorated for partial year operations.
- I. Any changes to the authority granted by the ICC after the initial registration in the registration state will be filed with the registration state. The registration state may waive the filing of any authority granted by the ICC if that grant of authority certificate or permit is longer than 20 pages in length. When the waiver is granted in writing, the motor carrier shall provide a copy of the portion of the Commission order which shows the service date and order section and shall prepare and file a synopsis of the authority granted within the body of the order.
- J. A registrant may request in writing that its registration be cancelled. The registration state will immediately cancel such registration and give written

notice of cancellation to the registrant. The notice of cancellation will show the effective date of cancellation and shall be mailed to the registrant requesting such cancellation. Each registration state shall transmit information concerning the motor carrier's full name, business address, MC number and DOT number for each carrier requesting cancellation of registration to all affected jurisdictions participating in the program when the next monthly fee accounting transmittal is required to be submitted to each registration state. No fees shall be refunded.

#### IV. CHANGE OF REGISTRANT'S PRINCIPAL PLACE OF BUSINESS

- A. A motor carrier may not change its registration state unless it changes its principal place of business or its registration state ceases or commences participation in the program.
- B. For the purpose of this program, the carrier's principal place of business for registration selection will be the business address the motor carrier indicated on the order issued by the Commission or as otherwise noticed to the Commission pursuant to an address change.
- C. When a registrant changes its principal place of business to another state participating in this program before the annual registration period of August 1 to November 30, the registrant may move its registration to the new registration state at the next registration period or retain registration in the current registration state for no more than one additional year.
- D. When a registrant changes its principal place of business to another participating state, the registrant shall notify the new registration state and the current registration state within 30 days after it has made its selection.
- E. When the registrant changes its principal place of business and selects a new registration state, the motor carrier shall refile in the new registration state the application, a copy of its interstate operating authority and a copy of the designation of agent(s) for service of process. Proof of insurance must be filed in the new registration state showing the change of business address of the registrant.
- F. When the registrant changes its principal place of business to a state that is not eligible to participate

in this program, the registrant shall retain the current registration state designation for registration purposes and file notice of business address change along with a new insurance filing in its registration state.

- G. If a registrant changes its principal place of business during a registration period and that principal place of business change affects its reciprocity status to now afford it reciprocity from payment of fees, the registrant shall not be allowed any credit or refund of prior fees paid for that registration period. The new principal place of business shall be used by the current registration state for determination of proper payment of future fees or waiving of those fees for any additional states of travel or additional equipment added.
- H. The motor carrier must give notice of its change in registration state to its insurer as soon as practicable.

#### V. REGISTRATION PROCESS - Application Form

- A. The applicant shall file annually between the 1st day of August and the 30th day of November of the year preceding the registration year an application for registration of all ICC regulated interstate operations with the registration state only. The required application form to be used is attached hereto.
- B. The application form must be completed in its entirety and signed by an authorized member of the company or its agent, otherwise the registration shall be considered incomplete.
- C. The application must contain the full name of the motor carrier. This includes all owner name(s) and any d/b/a (doing business as). This name will be verified with the name shown on the ICC certificate or permit submitted with the application. If the name on the application differs from the most recent ICC certificate or permit, the registration will be considered incomplete until the applicant provides a copy of the reentitlement from the ICC showing the change of name or amends the application form by providing written notice to the registration state.
- D. The business city and business state address on the application will be verified with the ICC certificate or



permit submitted with the application. If the business city and state are not the same, the registration will be considered incomplete until the applicant provides a copy of the request to the ICC for change of address or amends the application form by providing written notice to the registration state.

- E. The business street must be a physical address. The use of a post office box is not acceptable. If the motor carrier lives in a rural area and does not have a physical street address, a rural route with a box number will be accepted.
- F. A mailing address may be given for mailing purposes only. A mailing address shall not be used to determine reciprocity.
- G. The registrant will indicate the type of registration being filed. A motor carrier receiving ICC authority for the first time will be a "New Carrier Registration". If the motor carrier has previously registered in any of the eligible states for transporting commodities authorized by the ICC using the old registration system (Public Law 89-170) or using the new Single State Registration System, the application form would indicate an "Annual Registration". If a registrant adds states of travel or additional equipment to its fleet after the annual registration has been filed in the registration state, the application form would indicate a "Supplemental Registration". If, during an annual registration process, a registrant adds state(s) of travel for the first time, the registration form should indicate "Additional states not registered" and those states should be listed on that form.
- H. If the motor carrier has changed its registration state since its last application filing, the motor carrier must identify the prior registration state.
- I. The registrant shall indicate the type of motor carrier, whether a sole proprietor, partnership or corporation. This information should not contradict the name of the motor carrier as indicated on the top of the registration form. For example, if the applicant's name is a sole owner and the motor carrier indicates a partnership or corporation operation, the registration will be considered incomplete and the registration state will contact the applicant (and possibly the ICC) for clarification. If the motor carrier has changed its name or transferred its operating rights without notification to the ICC, the application will be

considered incomplete until a transfer order or reentitlement is issued by the ICC and filed in the registration state. If the ICC certificate or permit is correct and the application form is incorrect, the motor carrier will notify the registration state in writing to amend its application form or correct a returned application.

- J. The applicant must indicate the type of authority issued by the ICC. This information will be verified from the ICC certificate or permit issued to the motor carrier except for registration of emergency temporary authority or temporary authority (see paragraph M).
- K. The applicant shall file with the application for a new carrier registration or for the first year of this program in the registration state only, a full copy of its interstate certificate(s) of authority or permit(s) issued by the Commission. If the ICC authority is not submitted with the application, the registration will be considered incomplete. The registration state may waive the filing of copies of any authority granted by the ICC if that grant of authority is longer than 20 pages in length. When the waiver is granted in writing by the registration state, the motor carrier shall provide a copy of the portion of the Commission order which shows the service date and order section and shall prepare and file a synopsis of the authority granted within the body of the order. The registration state is not required to review the ICC certificates or permits for states of travel for which fees are being paid under these procedures.
- L. If new operating authority is granted to the registrant during the registration period, the registrant changes its name and/or address, or receives any order or reentitlement by the Commission during the registration year, a copy must be filed with the registration state as soon as they are issued. The registrant shall not wait until the next annual registration period to file copies of additional grants with the registration state.
- M. The requirement for filing a copy of the applicant's interstate certificate or permit is waived if the registrant holds emergency temporary authority (ETA) or temporary authority (TA) from the Commission for 120 days or less. A carrier holding ETA or TA authority from the Commission shall comply with all other requirements in these procedures before it commences operation in any state.

- N. If the applicant has not filed additional information during the registration period as required above, the applicant will attach to its annual registration application copies of additional authority grants, reentitlements, transfer orders, letters of change of name or address mailed to the ICC by the motor carrier or grants of self insurance orders issued by the ICC and not previously filed in the registration state. The registration state may waive the filing of copies of any authority granted by the ICC if that grant of authority is longer than 20 pages in length. When the waiver is granted in writing, the motor carrier shall provide a copy of the portion of the Commission order which shows the service date and order section and shall prepare and file a synopsis of the authority granted within the body of the order.
- O. The applicant shall indicate on the application that proof of insurance is being filed or has been filed and remains effective. If proof of insurance is not on file when the application is received in the registration state, the registration will be deemed to be incomplete.
- P. The applicant shall indicate on the registration form the status of self-insurance approval by the ICC. The applicant will file a copy of the order of the Commission approving a public liability self-insurance or other public liability security or agreement under the provisions of Part 1043. If the applicant indicates that the ICC has approved self-insurance coverage and a copy of the ICC order has not been included with the application, the registration will be deemed to be incomplete.
- Q. The applicant shall indicate if it will be transporting hazardous commodities in interstate commerce. If this section is not completed, the registration will be deemed to be incomplete until the applicant verifies whether hazardous materials will be transported. This section of the application will be verified with the insurance form on file with the registration state. If the motor carrier desires to transport hazardous materials and the proper levels of insurance are not on file, the registration will be deemed to be incomplete until the motor carrier indicates in writing that hazardous materials will not be transported or until a new insurance filing has been received in the registration state for the proper level of coverage.
- R. A copy of the designation of agent(s) for service of

process shall be submitted with the initial registration form to the registration state using the ICC Form BOC-3.

The motor carrier shall supplement any changes of designation of local process agent with the registration state to ensure that current information is on file. If the BOC-3 form is not attached to the "New Carrier Registration", the registration will be deemed to be incomplete until this form is received in the registration state. If the motor carrier fails to keep the designation of local process agent information current in the registration state, the registration shall be subject to suspension (refer to the section on compliance if needed).

- S. The registration application will be deemed to be incomplete if the registration form has not been signed with an original signature is not included.
- T. When an application is deemed to be incomplete, the registration state may hold the application and all attachments until the application is complete or the registration state may return the application and attachments dependent on each registration state's fiscal requirements and/or procedures.
- U. If equipment or states of travel are to be added after the annual registration process, the motor carrier will be required only to complete a Supplemental Form RS-1 and attach the proper fees. The motor carrier may update any information on file with the registration state by attaching the information to the RS-2 form. If no updates are attached, the motor carrier's signature on the RS-2 form will certify that all information filed with the registration state is current.

## VI. DESIGNATION OF PROCESS AGENT

- A. Designation of process agent shall be filed by the motor carrier in the registration state for each state of travel. Designations shall be made using the BOC-3 form as required by the Commission under 49 CFR Part 1044. The motor carrier shall supplement this filing as necessary to ensure that current information is on file in the registration state. Failure to maintain current information shall subject the registration to suspension as detailed in Section X.
- B. An association or corporation may file a list of process agents for each state by making a blanket designation on

the BOX-3 form in compliance with 4 C.F.R. § 1044.5.

- C. A designation may be cancelled or changed only by a new designation except when a motor carrier ceases to operate its authority and a designation is no longer required and may be cancelled without making another designation.

## VII. PROOF OF INSURANCE

- A. The applicant shall cause to be filed and maintained only in the registration state, proof of public liability insurance in accordance with the forms and procedures specified herein. No other notices or filings shall be required of a motor carrier holding authority granted by the Commission with respect to insurance under these procedures other than in the registration state. These procedures do not preclude any state from requiring any other proof of insurance for other authority not covered by this program that may be granted or required to be registered in a state.
- B. Proof of public liability or surety bond must be filed by an insurance company that is authorized to do business in any state and is eligible as an excess or surplus lines insurer in any state in which business is written. States will be able to obtain sufficient information from the Commission to verify eligible insurance companies.
- C. Insurance Forms Required to be used when applicable for the Single State Registration System are as follows:

Form BMC 91- Uniform Motor Carrier Bodily Injury and Property Damage Certificate of Insurance.

Form BMC 91X - Motor Carrier Automobile Bodily Injury Liability and Property Damage Liability.

Form BMC 91MX - Motor Carrier Surety Bonds.

Form BMC or MCS 90 - Endorsement for Motor Carrier Policies in Insurance for Public Liability (to be attached to the motor carrier's policy).

Form MCS 82 - Motor Carrier Public Liability Surety Bond.

Form BMC 35 - Notice of Cancellation Motor Carrier Policies of Insurance.

Form BMC 36 - Notice of Cancellation Motor Carrier  
Surety Bonds.

- D. The level of insurance coverage required is the same as required by 49 C.F.R. 1043.2. These limits are as follows:

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1. FREIGHT VEHICLES OF GVWR OF 10,000 POUNDS OR MORE:

- |     |   |             |
|-----|---|-------------|
| (a) | Property (nonhazardous)   | \$ 750,000  |
| (b) | Property (hazardous):<br>Hazardous substances, as defined in<br>49 CFR 171.8, transported in cargo<br>tanks, portable tanks or hopper-<br>type vehicles with capacities in<br>excess of 3500 water gallons, or in<br>bulk Class A or B explosives,<br>poison gas (Poison A), liquefied<br>compressed gas or compressed gas,<br>or highway route controlled<br>quantity radioactive materials as<br>defined in 49 CFR 173.455. | \$5,000,000 |
| (c) | Property (hazardous):<br>Oil listed in 49 CFR 172.101;<br>hazardous waste, hazardous<br>materials and hazardous substances<br>defined in 49 CFR 171.8 and listed<br>in 49 CFR 171.101, but not<br>mentioned in 1(b) or 2(b).  | \$1,000,000 |

2. FREIGHT VEHICLES OF GVWR LESS THAN 10,000 POUNDS:

- |     |  |             |
|-----|--|-------------|
| (a) | Property (not specified in 2.(b)):   | \$ 300,000  |
| (b) | Property (hazardous):<br>Any quantity of Class A or B<br>explosives; any quantity of poison<br>gas (Poison A); or highway route<br>controlled quantity radioactive<br>materials as defined in 49 CFR<br>173.455. | \$5,000,000 |

3. PASSENGER CARRIERS:

- |     |                                 |             |
|-----|---------------------------------|-------------|
| (a) | Seating capacity of 16 or more. | \$5,000,000 |
| (b) | Seating capacity of 15 or less. | \$1,500,000 |

- E. The insurance company may file proof of insurance with the registration state or the motor carrier may file a copy of the insurance form filed **and certified** by the ICC. The registration state will not accept a "copy" of the insurance form when it is filed by the motor carrier and is **not** an IC certified copy. The first year filing of proof of insurance under this program where the motor carrier is renewing its registration, the insurance company will print a new copy of the ICC form or mail a "copy" of the form that was stamped filed and returned by the ICC. Since the ICC does not require changes in the policy number to trigger a new form filing, the policy numbers on the forms printed for the states may not be identical to the current form on file with the ICC. All other information on that form must be in compliance with the requirements set forth herein.
- F. When the insurance company prepared the proper insurance form to be filed with the ICC for a new carrier, the third copy will be separated from the three-part ICC form and the third copy will be mailed to the motor carrier's registration state. The insurance company may annotate this three-part form to indicate the proper registration state.
- G. The registration state shall require all motor carriers to show a minimum level of coverage of \$750,000 unless the motor carrier indicates in writing that all equipment operated has a gross vehicle weight rating of 10,000 pounds or less.
- H. If the insurance company files duplicate copies of proof of insurance in the registration state, the registration state may stamp the second copy received and return the second copy to the insurance company. If duplicate copies are not received, the registration state is not required to acknowledge receipt of proof of insurance.
- E. When proof of insurance is provided by more than one insurer, a BMC 91X (Certificate of Insurance) or BMC 91MX (Surety Bond) is required of each insurer.
- J. The information pertaining to the identification of the registrant on the proof of insurance filed in the registration state shall be verified by the registration state. The registrant's full name including all owner names and any fictitious name or d/b/a and business address must be identical to the applicant name and business address on the uniform application form and the

most recent order of the Commission. Proof of insurance shall be issued in the full and correct name of the individual, partnership, corporation or other person to whom the certificate or permit is issued. If these items are not in agreement, a "New Carrier Registration" will be deemed to be incomplete and may be held or returned (dependent on each state's procedures) until the motor carrier amends the registration form in writing, the registration state receives a copy of a reentitlement, transfer order issued by the ICC, notification of name and/or address change by the motor carrier to the ICC (copy of letter sent to the ICC), or new proof of insurance is filed in the registration state.

- K. If the registrants full name (including d/b/a) and/or business address on the proof of insurance filed in the registration state for a replacement filing does not agree with the registration form, the motor carrier will be notified in writing that the insurance form differs from the registration information and the proof of insurance will not be accepted. The motor carrier will be asked to correct the name and/or business address on the uniform registration application in writing to the registration state or correct the proof of insurance filed. If insurance lapses because a proof of insurance has not been filed in the registration state with the correct name and/or business address, the motor carrier's registration will be suspended until proper proof of insurance is filed.
- L. When a BMC 91 or 91x is received in the registration state and the name and business address are correct, the effective date as indicated on the form stating the date insurance is in effect is the effective date to be used by the registration state.
- M. Each registration state shall receive notification of cancellation caused to be filed by the motor carrier of the registrant's bodily injury and property damage liability insurance (receipt of Form BMC 35 or 36) when similar notice is provided to the Commission. The effective date of the cancellation notice shall be computed as 30 days from the date notice is filed with the Commission. The registration state should verify this effective date with the information received from the Commission (this information should be available via the states bulletin board or other computer access designed for dissemination of information for this program) as to any change in the effective date of cancellation.



- N. Certificates of insurance or surety bonds shall be replaced and terminated by more recent certificates of insurance or surety bonds. The liability of the retiring insurer shall be terminated as of the effective date of the replacement certificate of insurance or surety bond provided the replacement is filed in accordance with these procedures.

A new BMC 91 will terminate and replace any prior BMC 91.

When a new BMC 91X is filed, this filing will only terminate and replace another filing when the limits indicated on the new filing is equal to or greater than the limits on the old filing. A filing received for primary coverage can only terminate and replace another filing for primary coverage. Excess coverage can only terminate and replace excess coverage.

If a cancellation notice is received prior to a new filing, this cancellation notice shall terminate the liability with 30 day notice to the Commission. A new filing received after receipt of a cancellation notice does not relieve the 30 day liability of the cancellation notice.

- O. An interstate motor carrier that has received approval to be self-insured with the Commission shall file with the registration state a copy of the ICC order approving the self-insurance plan. A copy of the ICC order does not indicate that the motor carrier has fully complied with all requirements within the order. It is suggested that the registration state verify the self-insurance status with the Commission to ensure that the carrier has complied with the provisions within the order and is considered by the Commission to be self-insured. The registrant shall thereafter immediately notify the registration state if the self-insurance plan is suspended, revoked or modified in any way by order of the Commission. Failure to comply shall result in the suspension of the registration.
- P. If the motor carrier is transporting hazardous materials, the amount of coverage indicated on the proof of insurance filed in the registration state must be the same as the amount of coverage stated on the uniform application form. If the amount stated on the insurance forms does not agree with the level of coverage indicated on the application form, the "New Carrier Registration" shall deemed to be incomplete.

- Q. If proof of insurance is received during the registration period and indicates a level of coverage greater than the amount previously indicated on the uniform application form and the old insurance filing, the new insurance filing will cancel and replace the old filing. The registration state will verify with the motor carrier if its application should be amended.
- R. The registration state shall not require the authorized signature of the company representative on the proof of insurance to be verified. If an insurance company notifies the registration state that information is being falsified, the registration state will verify all filings in the registration state issued under that named insurer and verify those filings involved. If the registration state finds that falsified filings have been made, the registration state will notify the registrant(s) immediately and request that the registrants file new proof of insurance. If new insurance is not received, the registration state will initiate a suspension for non-compliance of filing proof of insurance.
- S. A fax form of the forms required in these procedures may be accepted by the registration state as compliance of filing proof of insurance.
- T. At no time will a "Certificate of Insurance" from an insurance agent be accepted by a registration state in lieu of the forms required in these procedures.
- U. All previous Form E filings or other proof of insurance filed in any eligible state shall be cancelled as of January 1, 1994, as they pertain to registration of interstate authority granted by the Commission.
- V. Procedures for suspension, reinstatement, revocation and notification to other participating states are found in Section X.
- W. Proof of cargo insurance shall not be required.
- X. The Form BMC 90 or MCS 90 is an endorsement. This endorsement form is an amendment to the motor carrier's insurance policy and shall be attached to that insurance policy and shall form a part of it. When insurance is provided by more than one insurer to aggregate coverage, a separate endorsement is required of each insurer. A true copy of the policy with the endorsements attached shall be maintained at the motor carrier's principal place of business. The endorsement cannot be

cancelled without cancellation of the policy or policies and cancellation of the proof of insurance filed in the registration state. The endorsement shall not be filed in the registration state.

#### VIII. REGISTRATION RECEIPTS

- A. The registration state shall collect the fee (not to exceed \$10.00 per motor vehicle) that each participating State collected or charged per motor vehicle as of November 15, 1991. These fees shall be for filing and maintaining proof of insurance. No other fee shall be collected or assessed either directly or indirectly. If a participating state charged more than \$10.00 as of that date, the registration state will charge the motor carrier \$10.00 for that state of travel.
- B. The applicant shall use the prescribed form attached to these procedures to indicate the amount of fees due for each vehicle and each state of travel.
- C. The form and content of the registration receipt shall be as specified herein. This form may include only those items that identify the carrier and the states of travel for which fees have been paid as specified in these procedures. No registration state may add any additional items to this form except to add the registration state name and address that issued the receipt. This printed form shall be as uniform as possible to eliminate enforcement problems.
- D. No earlier than the first day of August and through the thirtieth day of November of each year, the registrant shall file an application for registration, pay fees and request the registration receipt for the next registration period from its registration state. The registration receipt shall not be valid until January 1 of the following year as indicated on the face of the receipt and when carried in the registrant's motor vehicle.
- E. When an applicant files a proper application in the registration state on or before the 30th of November for the next annual registration period, the registration state shall issue a registration receipt within thirty (30) days. Any registration that contains any misrepresentation, misstatement, or omission of required information shall be deemed to be incomplete until all items have been clarified and/or corrected in accordance with these procedures. The registration state is not obligated to process an incomplete application within

any time frame.

- F. The registration state shall issue an original registration receipt to the registrant upon receipt of a properly completed registration application and payment of fees. This original receipt must be retained by the motor carrier at its principal place of business for a period of three years. The motor carrier shall make the necessary copies for the number of vehicles for which fees have been paid.
- G. If an error is made by the motor carrier in completing the order form and the amount of the check does not agree with the calculated fee amount, each registration state will handle the improper check amount dependent upon the registration state's accounting procedures.
- H. The registration receipt shall not be altered by the motor carrier in any way. Altering of the receipt shall subject the motor carrier's registration to revocation as indicated in Section X. Any enforcement officer is authorized to confiscate the altered copy on sight. The confiscated receipt will then be returned to the registration state after any court action is completed by the state in which it was confiscated.
- I. The registration receipt shall qualify the registrant to operate under its ICC certificate or permit in all jurisdictions indicated on the registration receipt without any further registration requirements or identification requirements in any state other than the registration state.
- J. The motor carrier shall submit the appropriate amount of fees for each motor vehicle based on the number of motor vehicles by states of travel. Motor vehicles shall be authorized to travel only in those participating states in which the motor carrier has paid the appropriate fees.
- K. Upon receipt of a renewal registration application, the registration state shall verify that valid proof of insurance is on file and that the appropriate fees have been paid before the registration receipt is issued.
- L. A registrant in good standing (good standing means that active proper insurance, designation of agent for service of process, and copies of interstate authority are on file in the registration state and the motor carrier has not changed its name and/or address) may add equipment and/or states of travel by payment of fees and

the filing of a supplemental application to the registration state.

When a supplemental registration form is received for additional states of travel, a new original registration receipt will be issued for only those additional states requested. Copies of all supplemental registration receipts must be carried in the cab of the motor vehicle with copies of the original receipt. Additional registration receipts will be issued when supplemental fees are paid and only the additional states of travel will be listed on the new receipt.

A fully acceptable supplemental registration application shall be processed and the registration receipt issued by the 30th day following the date of filing the application.

- M. A motor carrier may transfer its registration receipts or copies of the receipt from vehicles taken out-of-service to their replacement vehicles. The motor carrier may not operate more motor vehicles in a participating state than the number with respect to which fees have been paid.
- N. A motor carrier conducting a driveaway operation will be required to carry a copy of the registration receipt in the cab of the vehicle in the same manner and meeting all requirements within these procedures as other ICC-regulated motor carriers. The registration receipt may be transferred from vehicle to vehicle in the same manner as the transfer of the registration receipt for a vehicle placed out-of-service as indicated in item M above.
- E. The registration state shall not replace lost or stolen receipts except when the carrier fails to receive the registration receipt(s) mailed by the registration state for delivery of those receipts. An application for replacement without charge must be accompanied by an affidavit detailing the facts supporting it. Within ten (10) days following the receipt of such an application, the registration state must issue replacements.
- P. If a motor carrier needs to add states of travel to its operating fleet in one or more of the participating states, the motor carrier may request transmission of a copy of a registration receipt before the receipt is mailed to the registrant. Upon payment of the appropriate fees, a copy of the receipt shall be sent via facsimile. The registration state shall mail the original receipt to the motor carrier.

- Q. All registration receipts shall expire on the 31st day of December of the registration year for which they were issued.
- R. The driver of a motor vehicle must present a copy of a receipt for inspection by any authorized government personnel on demand.
- S. No registration state shall require decals, stamps, cab cards, or any other means of registering or identifying specific vehicles operated by a motor carrier under these provisions. Nothing in this program will preclude a state from requiring indicia for other authority required to be registered in a state.

IX. CHANGE OF NAME, ADDRESS AND/OR OWNERSHIP OF REGISTRANT

- A. If the registrant changes its name (not change of ownership for example a d/b/a is added, a d/b/a is changed or a sole proprietor or partners incorporates and are the stockholders of the new corporation) after the registration receipt has been issued, the registrant shall submit to the registration state a copy of the reentitlement issued by the Commission. The registration state shall require proof of insurance to be resubmitted in the new name before a replacement registration receipt shall be issued by the registration state. States shall inform carriers that old copies of the registration receipt carried in the cab of the motor vehicles must be replaced with the new copies and the old copies shall be destroyed by the motor carrier.
- B. If the registrant changes its business address, the registration state will require filing of a copy of the notice (letter from the motor carrier to the ICC) submitted to the Commission for a similar change of address. If the business address change involves a street, route, box number or city only, the registrant shall notify the registration state in writing of that change. When the business address of the registrant has been changed, new proof of insurance must be filed in the registration state accordingly.
- C. If the address change causes a new registration state to be selected, see Section IV of these procedures.
- D. A registrant that changes its principal place of business from a state without reciprocity agreements for

waiving of vehicle fees to a state with reciprocity agreements during the registration period will not be allowed any credit or refund of fees paid to its registration state.

- E. When the interstate authority is transferred to new owners, the current registrant (old owners) must notify the registration state to cancel its registration. New owners shall be required to register in the registration state like all new registrants. The registration receipts of the old owners will not be reissued in the name of the new owners.
- F. When the registrant changes its name, address or ownership, the registration states shall forward this information to all affected participating states when the registration state forwards the next monthly transmittal.

## X. COMPLIANCE

- A. Failure by the registrant to comply with these standards shall result in suspension or revocation of the registration by the base jurisdiction.

### 1. Suspension of Registration.

On the effective date of cancellation of the proof of insurance or other items in non-compliance, the registration state shall notify the registrant in writing that its registration to operate in all states of travel pursuant to these standards is suspended. The suspension notice shall be mailed to the registrant and show the effective date of such suspension. The suspension notice may be a letter, suspension order, show cause order or any other method of proper notice as determined by the registration state. Notice of non-compliance with the filing of proof of insurance with the Commission may be obtained by any registration state by viewing the state bulletin board or other computer access established with reference to these procedures.

### 2. Reinstatement of Registration.

When sufficient proof of insurance or other items of non-compliance is filed and in effect after a suspension of the registration, the registration state shall immediately reinstate the motor

carrier's registration and notify the registrant that its registration pursuant to these standards is restored. The reinstatement notice shall be mailed to the registrant and show the effective date of such reinstatement. The reinstatement notice may be a letter, reinstatement order or any other method of proper notice as determined by the registration state. Notice of compliance with the filing of proof of insurance with the Commission may be obtained by any registration state by viewing the state bulletin board or other computer access established with reference to these procedures.

### 3. Revocation of Registration.

Each registration state shall revoke registration to operate in any state if the registrant has failed to comply with the insurance filing requirements one-hundred and thirty five (135) days from the effective date of a cancellation of insurance. Notice of revocation of registration shall be mailed to the registrant and show the effective date of such revocation.

Each registration state shall transmit information regarding revocation of the registration once a month with the monthly transmittal to any other affected jurisdictions participating in this program. The notice to other participating states shall include the full name and business address of the registrant, the registrant's MC Number, DOT number and the date of revocation.

- B. The registration state shall revoke the registration of the motor carrier for unlawful use of the registration receipt issued by the registration state.

Unlawful use shall include, but not be limited to, failure to pay sufficient fees for the number of motor vehicles operating under the registration receipt, allowing another motor carrier to use or purchase a registration receipt issued to the registrant, alteration of the receipt or failure to maintain a current listing of designation of process agent.

- C. The registration state shall revoke the registration of a motor carrier whose registration of an ETA or TA has expired without permanent authority being granted by the Commission or the motor carrier has failed to file a copy of the permanent grant of authority in the



registration state before the expiration date.

- D. If the registrant believes that the registration state has revoked its registration without good cause, the registrant may petition its registration state for reinstatement. Such petition for reinstatement shall be acted upon in accordance with the administrative rules and procedures of the registration state.
- E. After a registration has been revoked or cancelled, a motor carrier wishing to operate pursuant to these standards must again apply for registration in its registration state. If its registration state has copies of its operating authority and the motor carrier indicates that no additional grants have been given by the Commission, the new filing of copies of its authority shall be waived. The motor carrier shall submit new proof of insurance. If the motor carrier has paid its annual per vehicle fee for the current calendar year, the registration state shall not require new fees to be paid.

If the motor carrier has paid its annual per vehicle fee for the current calendar year, the registration state shall be required to forward the registration information to all affected participating states when the registration state forwards the next monthly transmittal.

- F. Nothing in these procedures prevents a State from imposing criminal or civil penalties sanctions upon any person or organization violating any provision herein.

## XI. REGISTRATION STATE ACCOUNTING

- A. Participating states shall maintain all documents required under these standards for a minimum of three years.
- B. Each participating state shall maintain records of funds received from and remitted to other member jurisdictions. Such records shall identify registrants and remittances from each registrant. (See Appendix E.)
- C. These records, which may be kept on microfilm, microfiche or other similar type of documentation, shall be made available to any participating state upon request.
- D. Each participating state shall forward to other

participating states the amount of funds for the number of vehicles indicated on receipts issued by that state.

Each state will be forward the full fee amounts. It will be the responsibility of each registration state to collect the proper fee amounts if a registration state accepts a check that fails to clear the bank. No amounts will be carried forward to other states for bad checks. These funds shall be transmitted only once each month. All funds received by the last day of the month shall be forwarded by the last day of the following month. Reports of no activity are required when no funds are collected.

The accounting transmittal shall include a remittance statement for that jurisdiction and identify the following:

1. the registration state submitting the transmittal;
2. the period the transmittal is for;
3. the number of motor vehicles for which fees have been paid; and
4. the total amount of fees received for each participating state.

This information is to be forwarded to other participating states in the manner specified using the form attached to these procedures.

E. The supplemental information attached to the transmittal form (attached) will include the following information:

1. Full name of registrant including all owners and fictitious name (d/b/a);
2. Full business and mailing address of registrant;
3. Number of vehicles for which fees have been paid;
4. Fees collected from each participant;
5. Date registration receipt issued; and
6. ICC MC number, US DOT number and FEIN number.

A participating state may desire to upload the supplemental information to other participating states via a bulletin board or other computer access set up for this program in lieu of attaching the information to the accounting transmittal. If some participating states are not capable of accessing this type of system, the participating state must mail a hard copy of the supplemental information with the transmittal as required above. If a state opts to upload supplemental

information, the information items and the timeliness of the upload must meet the requirements set forth herein.

- F. When an error in overpayment or underpayment for a reporting period has been detected by a registration state, the registration state that has made the error must notify the affected states in writing within two (2) weeks of the discovery of the error. The documentation to the affected state must contain the date of original payment, amount of over/under payment and the motor carrier involved. The registration state in error may simply produce a copy of the original data report highlighting the transaction in error and indicate to the affected states the proper charges. The affected states and the state in error will determine how the over/under payment will be handled in accordance with each state's statutory requirements.
- G. When a jurisdiction has not received the monthly report within 45 days after the close of the reporting month, that jurisdiction shall contact the delinquent jurisdiction and request compliance with the standards set forth. If the delinquent jurisdiction has failed to transmit a monthly report and funds by the next reporting period, the participating state shall file its monthly report, but withhold transmission of funds, to the delinquent jurisdiction until the delinquent jurisdiction complies fully with the established accounting procedures.
- H. Monies may be transmitted between participating states electronically, by check or any other method of payment accepted by another participating state.

## XII. AUDITING

- A. Any registration state may audit any motor carrier to ensure correct payment of fees or to detect alteration of the registration receipt. If within reasonable time, the registrant fails to respond and pay the require per motor vehicle fees after notice of audit findings and/or written notice of amount due, the registration state shall revoke a motor carrier's registration.
- B. The motor carrier shall maintain records and source documents supporting fee payments and the original receipt issued by the registration state for a period of three years.
- C. Audits may be conducted at the principal place of business of the carrier. The registration state may

also require the carrier to submit documentation for audit to the state agency. Participating states will cooperate as much as possible as to the determination of the proper amount of fees to be collected from the registrants for states of travel.

### XIII. RECIPROCITY

- A. Reciprocity agreement(s) in effect as of November 15, 1991 must be considered when determining fees to be charged under this program.
- B. A motor carrier whose principal place of business is located in a state not eligible to participate in this program may not use its designation of a registration state for this program to afford itself any benefits of reciprocity agreements of that registration state.

### XIV. FORMS

- A. Application Form (Appendix A)

This form must be used for all initial and supplemental filings. This form may not be modified by any participating state except to include its state agency name, address and telephone number. No additional information may be required under these procedures.

- B. Listing of Fees (Appendix B)

This sheet shall be included with the application form when it is mailed to the motor carrier. This form may not be modified by a participating state except to include a state agency name, address and telephone number and to include the amount of fees to be collected for each state of travel. Attached to this Appendix is a table listing those fees that will be charged.

- C. Registration Receipt (Appendix C)

The registration receipt will be printed by each registration state using durable white paper. This receipt shall be printed on a sheet no larger than a 8 1/2" x 11". The registration state shall print on this form the registration state agency name, address and telephone number, the complete registrant's name including all owners and fictitious name, the business city and state, the ICC MC number, the expiration date of the receipt, the registration period and the states for which fees have been paid. (The entire form may be

printed on pre-printed form paper.)

The form shall contain a state seal or emblem printed in blue color to indicate that this receipt is the original receipt issued to the registrant by the registration state.

For uniformity for enforcement purposes, this form must be printed with the same information and in the same form as attached to these procedures.

The states for which fees have been paid along with the number of trucks will be printed in the following manner:

On the first line of the area set out on the right side of the registration receipt, print three asterisks immediately followed by the two standard postal letter abbreviations in caps for each state with a comma following each state abbreviation with no spacing between commas. The last state abbreviation will be immediately followed by three asterisks. For example:

\*\*\*CO(10),ID(5),MN(4),MO(10),NE(5)\*\*\*

The state may print a serial number on the receipt for audit purposes. This field is optional at the discretion of the participating state.

D. Accounting Transmittal (Appendix D)

The accounting transmittal shall be used in accordance with the accounting procedures established herein. This form can be modified only to add the agency name, address and telephone number.

XV. REPORTING REQUIREMENTS

A. Monthly Reporting (Appendix E)

The monthly report will consist of the transmittal and supplemental information and mailed according to the requirements in the accounting procedures. If no activity occurred for a participating state during the reporting period, the transmittal shall be sent indicating "no activity".

## XVI. ACQUISITION OF ICC AUTHORITY AFTER HOLDING EXEMPT AUTHORITY

A. If a motor carrier transporting interstate commodities exempt from registration with the ICC received authority from the ICC to transport regulated commodities in interstate commerce, the motor carrier must select its registration state and complete the registration process as required under these procedures and as follows:

1. If ICC authority is received and the motor carrier intends to operate prior to January 1, 1994, the motor carrier will be required to comply (including payment of renewal fees) in the exact manner as all other ICC authorized carriers for the registration period beginning January 1, 1994, in accordance with these procedures.
2. If ICC authority is received after January 1, 1994, the fees for this program will be waived if those fees were previously paid to the states in the calendar year 1994 for each vehicle. The motor carrier shall include a statement with the registration form that the number of vehicles and the amount of fees paid as indicated on the fee listing attached to the registration form were the amounts paid to the states under the bingo stamp program. A registration receipt will be issued for those vehicles and those states of travel.

If the motor carrier desires to add additional states of travel or additional equipment, a supplemental registration form shall be completed.

A supplemental registration receipt will be issued in accordance with the requirements set forth in Section VIII, L.

B. The registration state will at the monthly reporting period, indicate to other states the no-fee issuance of the receipt. If it has been determined that the motor carrier indicated on its fee schedule a number of vehicles and fees paid at a level greater than fees previously paid to the state, the state will notify the registration state of the deficiency and the need for the registration state to collect additional fees.

## ACCOUNTING TRANSMITTAL

FOR

(State Agency Name &amp; Address)

During the billing period from \_\_\_\_\_ to  
the following registration receipts were issued for the state of:

State Name

TOTAL  
VEHICLES  
REGISTERED

AMOUNT  
COLLECTED

TOTAL

\$

Attached is a data report listing the carriers to whom  
registration

receipts were issued. Transmitted herewith is warrant  
#\_\_\_\_\_

in the amount of \$\_\_\_\_\_. Please sign the attached copy  
of this transmittal as acknowledgement of receiving this warrant  
and return to the address listed above.

---

(Signature of person receiving monies and date received.)

APPENDIX E

REPORT DATE:

MONTHLY DATA REPORT  
FOR REGISTRATION RECEIPTS SOLD  
TO ACCOMPANY THE ACCOUNTING TRANSMITTAL  
FROM THE STATE OF

CARRIER NAME	CARRIER ADDRESS	NO	TOTAL	DATE
ICC & D/B/A			VEHICLES	FEES
<u>ISSUED</u>	<u>NO</u>			

EXAMPLE:

DOE JOHN	1433 RANDOLPH LANE	3	\$30	10/31/92
123456				

SOMEWHERE MO 65122

SMITH JOE D/B/A	NOWHERE	MO 63185	5	50	10/31/92
231987 D & S TRUCKING					

---

8 \$80



ACCOUNTING TRANSMITTAL

FOR

During the billing period from\_\_\_\_\_to  
the following registration receipts were issued for the state of:

State Name

TOTAL  
VEHICLES  
REGISTERED

AMOUNT  
COLLECTED

TOTAL

\$

Attached is a data report listing the carriers to whom  
registration

receipts were issued. Transmitted herewith is warrant  
#\_\_\_\_\_

in the amount of \$\_\_\_\_\_. Please sign the attached copy  
of this transmittal as acknowledgement of receiving this warrant  
and return to the address listed above.

---

(Signature of person receiving monies and date received.)